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REMARKS

Applicant acknowledges with appreciation the acceptance of the drawing correction to FIG. 1 and the withdrawal of the previous rejection under 35 USC § 102(e).

Claims 1 and 4 have been amended to overcome the rejection under 35 USC § 102(b). Support for the amendment may be found in the specification on page 4, line 25 to page 5, line 9.

Claims 1-10 remain pending in the application.

By way of this response, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the examiner telephone Leo J. Peters at (408)433-4578 so that such issues may be resolved as expeditiously as possible.

Response to the rejection under 35 USC § 102(b)

Claims 1-8 and 10 stand rejected under 35 USC § 102(b) as being anticipated by Agan, U.S. Patent No. 5,669,684 (Agan). Applicant traverses the rejection as follows.

Regarding the rejection of Claim 1 in section 2, page 2, Agan does not disclose releasing the level shifter (10) from the pre-selected state when the input voltage supply V_c and the output voltage supply V_o are powered on as alleged by the rejection. In column 3, lines 46-57 cited by the rejection, Agan discloses placing the level shifter in a pre-selected state if the input voltage supply V_c is not powered on before the output voltage supply V_o is powered on. In column 5, lines 24-27 cited by the rejection, Agan discloses applying

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the input voltage supply V_c at a later time than the input voltage supply V_c . However, neither of the sections cited by the rejection discloses releasing the level shifter (10) from the pre-selected state when the input voltage supply and the output voltage supply are powered on.

The rejection admits on page 3 that the switch (20) in *Agan* is driven to a non-conducting state if the input voltage and the output voltage are powered on and if switch (16) is on. However, if switch (16) is off, then the switch (20) is not driven to a non-conductive state even if both the input voltage supply and the output voltage supply are powered on. In fact, the switch (20) is driven to a conductive state whenever the input signal (38) is driven high by the logic (44) when the input voltage supply and the output voltage supply are powered on. When switch (20) is driven to the conductive state, the level shifter (10) is held in the pre-selected state. Because the switch (20) is not necessarily released from the pre-selected state when the input voltage supply and the output voltage supply are powered on, *Agan* does not anticipate Claim 1 under 35 USC § 102(b).

Regarding the rejection of Claims 4 and 8, the rejection admits that switch (20) in *Agan* is driven to a non-conductive state when switch (16) is on. In contrast to *Agan*, the claimed invention recited in Claims 4 and 8 sets the switch to the non-conductive state when the input voltage and the output voltage are powered on. Because *Agan* does not necessarily set switch (20) to the non-conductive state when the input voltage and the output voltage are powered on, *Agan* does not perform the same function recited in Claims 4 and 8. Because *Agan* does not perform the same function recited in Claims 4 and 8, *Agan* does not anticipate Claims 4 and 8 under 35 USC § 102(b).

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The rejection errs on page 3 in confusing the level shifter (10) in Agan with different elements. For example, the rejection refers to "latch (10, 30)", thereby confusing the level shifter (10) in Agan with both the claimed latch and the inverter (30) described by Agan in column 2, lines 54-64. Clearly the level shifter (10) in Agan cannot be at the same time three separate elements, namely the level shifter and the latch recited in Claims 4 and 8 and the inverter disclosed in Agan. Because the rejection fails to clearly map each claimed element to a corresponding element in Agan, Agan is not shown to anticipate Claims 4 and 8 under 35 USC § 102(b).

The rejection of Claims 2, 3, 5-7, 9 and 10 are traversed for the same reasons explained above in the traversal of the rejection of Claims 1, 4 and 8.

Applicant respectfully requests examination and favorable reconsideration of Claims 1-10.

No additional fee is believed due for this amendment.

Respectfully submitted,



Eric James Whitesell

Reg. No. 38,657

Address all correspondence to:

LSI Logic Corporation
1551 McCarthy Blvd., MS: D-106
Milpitas, CA 95035

Direct telephone inquiries to:

Leo J. Peters
(408) 433-4578